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FCC - MAILROOM



COUNTY LIBRARY SYSTEM

111 North Twelfth Street
Van Buren, Arkansas 72956
Phone: 479-471-3226
FAX: 479-471-3227

02-6

To: Federal Communications Commission

Company: Office of Secretary

From: Eva White, Director

Date: February 8, 2004

If you do not receive all the pages or they are unreadable please notify us at the number above.

There are 18 pages including this cover page.

Please let me know if you need more information and if you could acknowledge receipt of this Request for Review, I would appreciate it. My email address is ewhite44@hotmail.com

No. of Copies rec'd 04
List A B C D E



COUNTY LIBRARY SYSTEM

111 North Twelfth Street
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FCC - MAILROOM

February 8, 2004

Request for Review
Federal Communications Commission
Office of the Secretary
Washington, DC 20002

Dear Sir:

CC Docket No. 02-6

I am asking you to review my appeal to the SLD for entity number 200882 concerning the Funding Commitment Letter for Form 471 Application Number: 338140 for the funding year 2003 (7/1/2003 – 6/30/2004) which was dated May 1, 2003.

The SLD denied my appeal because they say that I failed to ask for the correct percentage. I filed my 471 on 11/26/2002. I was told at the time of my application that the SLD was in the process of changing the way that library discounts would be calculated and that I would be contacted later to change that calculation for the percent of discount. Therefore, I left the percent at the default which was 20%. On November 30th, the SLD sent out an email which told us how to figure the discount. On December 10, 2002, I received an email that confirms that the SLD would "adjust the discount if necessary." These emails are attached. On January 16th, I was contacted by Roman Bulawski and we worked through the process of changing the percentage information. I emailed him the information on January 21, 2003. A copy of the email is attached along with the following discussion about my application. As you can see, the discount percentages for my e-rate should be

CCLS 60%

Van Buren 60%

Cedarville 60%

Alma 60%

Mulberry 80%

Mountainburg 80%

FEB 9 2004

FOG MAILROOM

There was a question about the Alma discount and I contacted them again and gave Mr. Bulawski the number to contact them also when I could not get the information that he needed from them.

I received my RAL on January 30, 2003, and I again contacted Mr. Bulawski by email about the percentages and his answer is enclosed also. He assured me that everything was changed, but if I wanted confirmation I could call Client Services. I did so. I talked to Doe and she said and I quote "do not send back the RAL the percentages have been corrected".

On May 5, 2003, I received my Funding Commitment Letter and the percentages used to determine my discount was the default (20%) that was in the original 471 application. I filed an appeal immediately to ask that the percentage of discount be corrected. FRN 912362 funds our system wide library network, FRN 912375 funds the telephone line to the Cedarville Branch, FRN 912390 funds a telephone line to the Crawford County Library, and FRN 912813 is for Long Distance Service to the Crawford County Library. All of these should be at or above 60% or an average of around 67%.

The library system is not asking for anything but for our basic services to be funded at the correct percentage. I worked with and through the system and my library system should not be penalized because of a computer or data entry error at the SLD. I could understand your concern if this was a huge amount, but it is only a tiny portion of the funds awarded each year by the SLD. Even though it is tiny to your agency and the SLD it means a lot to our library system. We operate on a shoe string and we have instituted a system that has lowered our telecommunications costs. We are always looking for other ways to cut costs and our discount is one way for us to do that. It is very frustrating to fill out all the paperwork that is required to get a discount and then not have it funded because of an error by someone else. You are holding applicants accountable for everything that we ask for. Now someone needs to be accountable for the errors made in your system. Please correct this discount percentage error and award us our correct discount percentage of 67% instead of the 20% awarded because of this mistake.

Thank you for your consideration of this matter and if you need more information please contact me at 479-471-3226 or FAX to 479-471-3227.

Sincerely,



Eva White
Director



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

December 9, 2003

Eva White
Crawford County Library System
111 North Twelfth Street
Van Buren, AR 72956

Re: Billed Entity Number: 200882
 471 Application Number: 338140
 Funding Request Number(s): 912362, 912375, 912390, 912813
 Your Correspondence Dated: May 5, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 912362, 912375, 912390, 912813
Decision on Appeal: **Denied in full**
Explanation:

- In your appeal letter, you state that when you applied for E-Rate last fall, SLD was in the process of changing the formula for figuring the discount percentage. You were told that SLD would work with you to figure the correct percentages, which on the original application you said defaulted to 20%. You stated that you were contacted by PIA in January about the percentages and you emailed the information requested to PIA on 1/21/2003. You received your Receipt Acknowledgement Letter (RAL) on 1/30/2003, which showed that the discount percentages were still at 20%, but when you contacted PIA, PIA assured you that everything was sufficient. PIA suggested to you to call Client Services for confirmation, and they told you to "not send back the RAL, the percentages have been corrected." You request that SLD correct the percentage of discount and fund the correct amount for each library.

- Upon thorough review of the appeal, it was determined that you only requested 20% discount for each library using the Discount Matrix method. Since you had used the correct Discount Matrix methodology to determine the discount percentages for the libraries (not the shared discount methodology), the discount percentages "defaulted" to 20% because according to the Discount Matrix, 0% of students eligible for NSLP equals 20% discount for Urban school districts. Although the discount percentages could be validated at a higher discount rate, you only requested 20% discount for each library, and therefore SLD could not increase the discount amount higher than 20%. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner. The appeal is denied.
- You indicated on your Form 471 that your discount eligibility is 20% for each library listed in Block 4. FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. *See* 47 C.F.R. § 54.505(b). The level of poverty is measured by the percentage of students enrolled in a school or school district who are eligible for a free or reduced price lunch under the national school lunch program or a federally-approved alternative mechanism contained in Title I of the Improving America's Schools Act, codified at 34 C.F.R. § 200.28(a)(2)(i)(B). *See* 47 C.F.R. § 54.505(b)(1). Alternatively, the level of poverty is measured according to participation in Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 n.1334 ¶ 374 (rel. May 8, 1997). The high cost determination is made pursuant to rules according to which a school or library is classified as rural or urban. *See* 47 C.F.R. § 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether a school is classified as rural or urban. *See* 47 C.F.R. § 54.505(c).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be **POSTMARKED** within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



CRAWFORD COUNTY LIBRARY SYSTEM

111 North Twelfth Street
Van Buren, Arkansas 72956
479-471-3226 Phone and FAX
ewhite44@hotmail.com

May 5, 2003

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, N.J. 07981

Dear Sir:

My billed entity number is 200882. I am filing an appeal on the Funding Commitment Decision Letter for the following Form 471 Application Number: 338140 for funding year 2003 (7/1/2003 – 6/30/2004) which was dated May 1, 2003.

When I applied for e-rate last fall, SLD was in the process of changing the formula for figuring the discount percentage. I was told that SLD would work with us to figure the correct percentages which on the original application defaulted to 20%. I was contacted by Roman Bulawski in January about these percentages. I emailed him the information on January 21, 2003. A copy of the email is attached. As you can see, the discount percentages for my e-rate should be:

CCLS – 60%
Van Buren – 60%
Cedarville – 60%
Alma – 60%
Mulberry – 80%
Mountainburg – 80%

There was a question about the Alma discount and I contacted them again and then gave Mr. Bulawski the number to contact them also when I could not get the information he needed from them.

I received my RAL on January 30, 2003, and I again contacted Mr. Bulawski by email about the percentages and his answer is enclosed also. He assured me that everything was sufficient, but if I wanted confirmation I could call Client Services. I

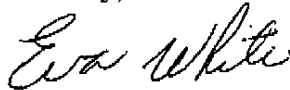
did so. I talked to Doe and she said and I quote "do not send back the RAL the percentages have been corrected".

Today, May 5, 2003, I received by Funding Commitment Letter and the percentages used to determine my discount was the default (20%) that was in the original 471 application. Please correct the percentage of discount and fund the correct amount for each branch library. FRN 912362 funds our system wide library network, FRN 912375 funds the telephone line to the Cedarville Branch, FRN 912390 funds a telephone line to the Crawford County Library, and FRN 912813 is for Long Distance Service to the Crawford County Library. All of these should be at or above 60%.

We are depending on this funding to help pay our telecommunications bill. Libraries in Arkansas have lost their state aid (\$4.9 Million) and we certainly can not afford to lose our e-rate discounts too.

If you need any further information from me, I will gladly provide it. Just let me know how I can be of assistance to clear up this mistake.

Sincerely,

A handwritten signature in cursive script that reads "Eva White".

Eva White
Director



ewhite44@hotmail.com

Printed: Friday, December 19, 2003 12:04 PM

From : Schools & Libraries Division <mj_do_not_reply@universalservice.org>
Sent : Tuesday, December 10, 2002 4:51 PM
To : "E-Rate Library Applicants" <erate-apps@universalservice.org>
Subject : New Data Entry Procedure for Incorrect Library Discounts on Paper Forms 471

For Funding Year 2003, libraries must use a revised method to calculate their E-rate discounts. Because the discount for a library outlet or branch will now come directly from the Discount Matrix posted at www.sl.universalservice.org/reference/dmatrix.asp, the discount entered for a library outlet or branch must correspond to one of the entries in the Discount Matrix (20%, 25%, 40%, 50%, 60%, 70%, 80% or 90%). If the discount for a library outlet or branch on a paper form 471 Block 4 Worksheet is not from the Discount Matrix, the SLD will use the next highest discount percentage from the Discount Matrix to complete data entry of the form.

Applicants should not be concerned if they see a higher discount or a higher funding request in their Receipt Acknowledgment Letters than the discount and request they submitted on their paper forms. SLD's Program Integrity Assurance (PIA) team will contact library applicants to verify the discount to which library applicants are entitled using the revised method, and adjust the discount if necessary.

For more information on the revised method for calculating library discounts, please see pages 16-17 of the Form 471 Instructions posted at www.sl.universalservice.org/data/pdf/i471yr6.pdf. Information is also available from the Client Service Bureau via e-mail at question@universalservice.org, via fax at 1-888-275-8736, or via phone at 1-888-203-8100.



ewhite44@hotmail.com

Printed: Friday, December 19, 2003 11:08 AM

From : Schools & Libraries Division <mj_do_not_reply@universalservice.org>
Sent : Saturday, November 30, 2002 8:15 AM
To : "E-Rate Library Applicants" <erate-apps@universalservice.org>
Subject : Changed Method for Calculating Library E-rate Discounts for Funding Year 2003

Upon review of the discount calculation methodology to be used for obtaining E-rate discounts for libraries, the FCC has approved a simplified method. This method is required for FY 2003 and beyond for library applicants using the National School Lunch Program to calculate their E-rate discounts. Libraries need only calculate the percentage of students eligible for the National School Lunch Program for the entire school district in which the library outlet/branch is located and apply that percentage to the FCC's discount matrix to determine their E-rate discount. To calculate this percentage, libraries will need to obtain just two numbers for the entire school district in which the library outlet/branch is located:

1. the number of students eligible for the National School Lunch Program and
2. the total number of K-12 students in the school district.

Library outlets/branches will then divide #1 above by #2 above to calculate the percentage of students eligible for the National School Lunch Program.

The library outlet/branch will use this percentage along with the Rural or Urban status of the library outlet/branch to determine their E-rate discount using the FCC's discount matrix found in the Form 471 instructions.

The two numbers used to calculate the percentage of students eligible for the NSLP may be available from the school district, from the state library agency, from the state Department of Education, or from a state web site. Since the calculation for library outlets/branches has been changed, it will be important to be clear with school district officials about the data libraries will need to determine their E-rate discounts. The SLD will also be communicating this change to school and library state E-rate coordinators.

Further information about the "Discount Matrix" is posted in the Reference Area of the SLD web site at www.sl.universalservice.org/reference/dmatrix.asp. The Rural or Urban status of the library outlet/branch is determined by the geographic location of the library outlet/branch. There is guidance for making this determination on the SLD web site at www.sl.universalservice.org/reference/msa/RuralUrbanClassYr4.asp.

Library systems which are sharing services will calculate their discounts (Form 471 Worksheet B, Item 10c) by using a simple average of the discounts for each of the library outlets/branches listed in Worksheet B. This calculation will be based on the revised calculation for each outlet/branch described above.

NOTE: The changed Form 471 and Instructions for Funding Year 2003 feature a date of October 2002 in the lower right-hand corner. The Form 471 Instructions include a description of the above calculation method, and the Form 471 Block 4 Worksheet B has also been revised to reflect this change. Applicants are urged to use that form for Funding Year 2003. The SLD will not reject applications submitted on the earlier version of this form, which features a date of October 2000; however, libraries must use the new method described above for calculating their discounts for Funding Year 2003, even if they submit the October 2000 version of the Form 471.

If you have questions, please refer to the October 2002 Form 471 Instructions, which are available on the SLD web site at

www.sl.universalservice.org/data/pdf/1471yr6.pdf. Instructions for library discount calculations begin on page 16. Or you may call our Client Service Bureau toll-free at 1-888-203-8100.



80 South Jefferson Road
Whippany, New Jersey 07981
Fax: 973-599-6516

Universal Service Administrative Company
Schools & Libraries Division

FAX TRANSMISSION COVER SHEET

To: Ms. Eva White
Fax: 14794713226
Subject: Funding Year 6 Erate App#338140
From: Roman Bulawski (PIA Team3)
Date: January 16, 2003
Time: 12:02:23 PM

YOU SHOULD RECEIVE 4 PAGE(S) INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

Ms. White,

We are in the process of reviewing your funding request application #338140. Due to procedural changes for this year, we need you to provide certain specific information for each entity requesting funding. The first is a confirmation of Rural/Urban status, the second is providing supporting documentation to determine the discount percentage being requested, and the third is evidence that the proper method (as there has been a process change within the last year) was employed in determining that discount percentage.

Following, please find official documentation and verbiage making this same request. As you have 6 entities to validate through this process, you may wish to wait until my follow up phone call early this afternoon (CST) to verify receipt of this fax in order to verify the easiest method for going about all of the requisite data gathering.

Thank you.

Privilege and Confidentiality Notice

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**Universal Service Administrative Company**

Schools & Libraries Division

January 16, 2003

Ms. Eva White
Crawford County Library
Phone: (479) 471-3226
Application #338140

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2003 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

On your Form 471, you requested a discount percentage of 20% for the Alma Branch Library, 20% for the Cedarville Branch Library, 20% for the Crawford County Library, 20% for the Mountainburg Branch Library, 20% for the Mulberry Branch Library, and 20% for the Van Buren Branch Library. For Funding Year 2003 the FCC changed the discount methodology for library outlets/branches. For Funding Year 2003 library outlets/branches must determine their discount percentage based on the library's rural/urban classification and the National School Lunch Program (NSLP) eligibility percentage of the school district in which the library branch/outlet is located. Based on the discount percentage you requested it appears that you determined the discount percentages incorrectly. In order for us to complete our review, we must determine the discount percentages that the library branches are entitled to receive. In order to assist us in this process please provide the following information, which should have been used to determine your discount percentages:

- 1.) The rural or urban designation of each library based on the library's physical address.
- 2.) The enrollment and number of students who meet the income eligibility guidelines of the National School Lunch Program (NSLP) for the school districts you indicated as the school districts in which each library is geographically located. Please note, if you do not have this information on file, you will need to contact the school district in order to determine this information or use an approved third party resource.

If you need additional guidance relating to the questions being asked, please refer to pages 16-18 of the Funding Year 2003 Form 471 Instructions

(<http://www.sl.universalservice.org/data/pdf/i471yr6.pdf>).

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Please send the requested information within seven calendar days.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Roman M. Bulawski
Schools And Libraries Division
Program Integrity Assurance
Phone: (973) 581-6743
FAX: (973) 599-6516
rbulaws@sl.universalservice.org

**Hotmail®**

ewhite44@hotmail.com

Inbox | Previous Page

From : "Roman Bulawski" <RBULAWS@sl.universalservice.org>
To : <ewhite44@hotmail.com>
Subject : Re: status and percentages for CCLS
Date : Thu, 30 Jan 2003 14:17:42 -0500

Ms. White,

From my perspective, we have taken care of the changes that needed to be handled sufficiently. You can always call Client Services at (888) 203-8100 if you want them to confirm an answer, but it seems we've done everything we need to do.

Thanks for being so helpful in this process.

-Roman

Roman M. Bulawski
 Program Integrity Assurance
 E*Rate Schools & Libraries
 Phone (973) 581-6743
 Fax (973) 599-6516
 rbulaws@SL.UniversalService.org

>>> "eva white" <ewhite44@hotmail.com> 01/30/2003 2:14:17 PM >>>

Mr. Bulawski:

I received my RAL this week. Do I need to correct the percentages and return it to SLD or will the work we did this week be sufficient? Thanks for your help.

Eva White, Director
 Crawford County Library System
 111 North 12th Street
 Van Buren, AR 72956
 ewhite44@hotmail.com

>From: "Roman Bulawski" <RBULAWS@sl.universalservice.org>
 >To: <ewhite44@hotmail.com>
 >Subject: Re: status and percentages for CCLS
 >Date: Fri, 24 Jan 2003 10:22:46 -0500

>
 >Ms. White,

>
 >The information you provided for me is excellent. However, I need just a
 >little bit more.

>
 >1. If you got the numbers of Enrollment and Free/Reduced Eligible Students
 >for determining the percentages, then getting me those numbers would make
 >sure they get into the new database that we're building for the future.
 >That would keep us from asking for the same information next year, if you
 >were to file with the same discount percentages. It would really help me
 >out in making sure this application goes through smoothly, too.

>
 >2. In validating the information you provided for me, I found that I could
 >only validate a discount of 50% for Alma Public School District. The rest
 >of the percentages you provided could be validated using Arkansas's
 >www.as-is.org web site. If you could call the superintendent's office at
 >the Alma Public School District (or whomever you spoke with to get the
 >information you provided me with) and ask for a relatively recent

*Done
 1/30/2003
 Do not send
 RAL*

>Reimbursement Claim Form for Free & Reduced Lunches that they file each
>month, that would give us everything we need to get regarding the
>discounts.

>Thank you for being so helpful in this issue.

>Roman Bulawski

>Roman M. Bulawski
>Program Integrity Assurance
>E*Rate Schools & Libraries
>Phone (973) 581-6743
>Fax (973) 599-6516
>rbulaws@SL-UniversalService.org

```
> >>> "eva white" <ewhite44@hotmail.com> 01/21/2003 12:13:37 PM >>>
>Mr. Bulawski;
```

>In answer to your fax and phone call of last week, I finally have the
>information you asked for:

>Our status is Urban and the percentages follow:

	Percent/Lunch Program	Percent from Matrix
>CCLS	42%	60%
>Van Buren	42%	60%
>Cedarville	46%	60%
>Alma	40%	60%
>Mulberry	56%	80%
>Mountainburg	51%	80%

>I hope this will answer your questions, but if you need more information,
>please let me know and I will provide it as soon as I can get it to you.
>Thanks for your help.

>Eva White, Director
>Crawford County Library System
>111 North 12th Street
>Van Buren, AR 72956
>ewhite44@hotmail.com

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Hotmail® ewhite44@hotmail.com

Inbox | Previous Page

From : "eva white" <ewhite44@hotmail.com>
To : RBULAWS@sl.universalservice.org
CC : ewhite44@hotmail.com
Subject : Re: status and percentages for CCLS
Date : Mon, 05 May 2003 10:48:50 -0500

Dear Mr. Bulawski:

I got my funding letter today and I was disappointed that all these percentages that I sent you did not get entered into the system apparently, because all my funding was at 20%. Can you tell me what happened and how it can be corrected? This money means a lot to us and I think we have been cheated?

Eva White, Director
Crawford County Library System
111 North 12th Street
Van Buren, AR 72956
ewhite44@hotmail.com

From: "Roman Bulawski" <RBULAWS@sl.universalservice.org>
To: <ewhite44@hotmail.com>
Subject: Re: status and percentages for CCLS
Date: Fri, 24 Jan 2003 10:22:46 -0500

Ms. White,

The information you provided for me is excellent. However, I need just a little bit more.

1. If you got the numbers of Enrollment and Free/Reduced Eligible Students for determining the percentages, then getting me those numbers would make sure they get into the new database that we're building for the future. That would keep us from asking for the same information next year, if you were to file with the same discount percentages. It would really help me out in making sure this application goes through smoothly, too.

2. In validating the information you provided for me, I found that I could only validate a discount of 50% for Alma Public School District. The rest of the percentages you provided could be validated using Arkansas's www.as-is.org web site. If you could call the superintendent's office at the Alma Public School District (or whomever you spoke with to get the information you provided me with) and ask for a relatively recent Reimbursement Claim Form for Free & Reduced Lunches that they file each month, that would give us everything we need to get regarding the discounts.

Thank you for being so helpful in this issue.

Roman Bulawski

Roman M. Bulawski
Program Integrity Assurance
E*Rate Schools & Libraries
Phone (973) 581-6743
Fax (973) 599-6516
rbulaws@SL.UniversalService.org

>>> "eva white" <ewhite44@hotmail.com> 01/21/2003 12:13:37 PM >>>
Mr. Bulawski:

In answer to your fax and phone call of last week, I finally have the information you asked for:

Our status is Urban and the percentages follow:

	Percent/Lunch Program	Percent from Matrix
CCLS	42%	60%
Van Buren	42%	60%
Cedarville	46%	60%
Alma	40%	60%
Mulberry	56%	80%
Mountainburg	51%	80%

I hope this will answer your questions, but if you need more information, please let me know and I will provide it as soon as I can get it to you. Thanks for your help.

Eva White, Director
Crawford County Library System
111 North 12th Street
Van Buren, AR 72956
ewhite44@hotmail.com

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